

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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First Named Inventor Edward A. Ludvig
Assignee Microsoft Corporation
Group Art Unit 2623
Examiner Mark P. Stanley
Attorney's Docket No. MS1-1829US
Title Targeted Advertising based on Consumer Purchasing Data

DECLARATION UNDER 37 CFR §1.132

To: Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

From: Beatrice Koempel-Thomas (Tel. 509-324-9256; Fax 509-323-8979)
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On behalf of the Microsoft Corporation, this declaration and the three attached exhibits comprising articles as published on the Internet are presented as evidence showing that WebTV Networks, Inc. was a wholly owned subsidiary of Microsoft Corporation before October 1, 2003. As a wholly owned subsidiary, all of the assets of WebTV Networks, Inc., including U.S. Patent Application 09/094,851, the patent application that matured to U.S. Patent 6,698,020, were owned by Microsoft Corporation before October 1, 2003.

Exhibit A: Lazarus, David; Apr. 7, 1997; "Microsoft Buys WebTV," Wired, retrieved on 12/19/2008 from: <http://www.wired.com/print/techbiz/media/news/1997/04/2987>.

Exhibit B: Festa, Paul; Aug. 1, 1997; "Microsoft-WebTV deal cleared," CNET News, retrieved on 12/19/2008 from: http://news.cnet.com/Microsoft-WebTV-deal-cleared/2100-1033_3-202038.html.

Exhibit C: Microsoft, Redmond Washington; Oct. 20, 1997: "Microsoft Announces Record First Quarter Revenue and Income," Microsoft PressPass, retrieved on 12/19/2008 from: <http://www.microsoft.com/presspass/press/1997/oct97/q98-learnings.msp>.

I hereby declare that the U.S. Patent Application 09/094,851, assigned to WebTV Networks, Inc., which matured to become U.S. Patent 6,698,020 on February 24, 2004, was commonly owned by Microsoft Corporation, before October 1, 2003, as stated above.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

12/22/08
Date

Gott Mayles
Signature
Assoc. General Counsel
Printed name/Title